



U. S. Department of Justice

Executive Office for Immigration Review

*Office of the Director*

Director

5107 Leesburg Pike, Suite 2400

Falls Church, Virginia 22041

June 30, 1999

MEMORANDUM FOR: ALL EOIR EMPLOYEES

FROM:

*Kevin D. Rooney*  
Kevin D. Rooney  
Director

SUBJECT:

Prevention of Sexual Harassment and Other  
Forms of Discrimination in the Workplace

All employees of the Executive Office for Immigration Review (EOIR) have a responsibility under the Federal Code of Ethics for maintaining high standards of conduct and ethical behavior. Employees of EOIR shall be free from prohibited personnel practices, as outlined in the provisions of the Civil Service Reform Act of 1978 and should avoid conduct which undermines these merit principles. It is the policy of EOIR that discrimination based on race, color, gender, religion, national origin, age, disability, sexual orientation, or reprisal is unacceptable conduct in the workplace and will not be tolerated. Additionally, all employees shall have the opportunity to work in an environment that is free of harassment, including sexual harassment, and to advance on the basis of merit, ability, and potential.

Sexual harassment is a complex and sensitive issue. It is a form of employee misconduct which undermines the integrity of the employment relationship. Harassment on the basis of sex is a violation of Section 703 of Title VII of the Civil Rights Act of 1964, as amended. In accordance with the Equal Employment Opportunity Commission Guidelines on Discrimination Because of Sex (29 CFR 1604.11), unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis

for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

All supervisors and managers are responsible for enforcing standards of appropriate office behavior and are expected to take prompt and appropriate action to deal with any conduct identified as sexual harassment. I hold all managers, supervisors, and employees accountable for the successful implementation of this policy.

Employees who feel they have been victims of sexual harassment or other forms of discrimination have several avenues of redress and are encouraged to immediately report any inappropriate behavior including instances of sexual harassment. Please remember that employees who want to file a formal complaint of harassment and preserve their legal rights must contact the Equal Employment Opportunity Office within 45 calendar days of the occurrence of the alleged unlawful harassment. To obtain information, advice or file a complaint, individuals should contact, the Equal Employment Opportunity Manager for EOIR, the Prevention of Sexual Harassment Coordinator for EOIR his/her immediate supervisor or manager (if appropriate), the Office of Professional Responsibility, or the Office of the Inspector General. Employees in a collective bargaining unit may seek assistance through appropriate provisions of their collective bargaining agreement if the agreement allows. Telephone numbers for these offices are listed below:

EEO Manager:

Wanda Owens 703/305-0994

Prevention of Sexual Harassment Coordinator:

Maria Rios 703/305-0470

Office of Professional Responsibility: 202/514-3365

Office of the Inspector General: 1-800-869-4499